

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

RICHARD N. BELL,)	
)	
Plaintiff,)	
)	
vs.)	
)	
CAMERON TAYLOR,)	
TAYLOR COMPUTER SOLUTIONS,)	
INSURANCE CONCEPTS,)	
FRED O'BRIEN,)	
FORECLOSURE WAREHOUSE.COM, INC.,)	
INDY CLEANING PROS,)	
JAMES ALLEN,)	
KAREN ALLEN,)	
SHANNA CHEATAM,)	
AILS,)	No. 1:11-cv-00766-TWP-DKL
MAXSCLEAN LLC,)	
HOMEROUTE,)	
INFORED MEDIA, LLC,)	
REDOUANE CHIOUA,)	
AMERICAN AUTO TRANSPORT,)	
NATIONAL COMMUNICATIONS)	
COMPANY, LLC,)	
ABONET,)	
CITIES ONLINE,)	
SHELLY RUPEL,)	
BEN MCCANN,)	
NEIL COX,)	
MARK ARRUDA,)	
)	
Defendants.)	

ENTRY

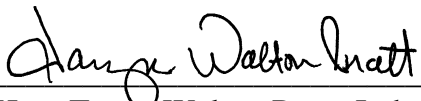
This matter is before the Court on Plaintiff Richard Bell's Motion for Leave to File Third Amended Complaint and Response to the Court's Show Cause Order (Dkt. 57). On November 19, 2012, the Court ordered Mr. Bell to show cause why his Complaint should not be dismissed for failure to state a claim under the Copyright Act, because he did not allege that he had

registered a copyright in the Indianapolis photograph as required in 17 U.S.C. § 411(a). On November 24, 2012, Mr. Bell responded to the Court's order that the photograph was registered on August 4, 2011 and was assigned Registration Number VA0001785115. Further, Mr. Bell requested leave to amend the Complaint to add this information.

The Court has reviewed and considered Mr. Bell's motion and the responses from Defendants Cameron Taylor, Taylor Computer Solutions, Shanna Cheatam, Insurance Concepts, Fred O'Brien, and Mark Arruda. Federal Rule of Civil Procedure 15(d) is intended to give the Court broad discretion in permitting a supplemental pleading. Although this is Mr. Bell's third amended complaint and plaintiff has had numerous opportunities to correct the statutory deficiency, "justice so requires" that Mr. Bell be allowed a final opportunity to amend his complaint. Further, the Court finds no prejudice to any of the defendants in allowing the amendment at this stage of the proceedings. The Court finds it appropriate to exercise its discretion and allow Mr. Bell's amendment to cure the defect. Therefore, Mr. Bell's motion (Dkt. 57) is **GRANTED**. The Third Amended Complaint (Dkt. 57-1) will be deemed filed as of the date of this Entry.

SO ORDERED.

Date: 12/06/2012


Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana

Distribution:

BEN MCCANN
705 N. Shore Boulevard
Franklin, IN 46131

Richard N. Bell
BELL LAW FIRM
richbell@comcast.net

David F. Hurley
HURLEY & HURLEY PC
dhurley@hurley-legal.net

John W. Nelson
LAW OFFICE OF JOHN NELSON
jwnelso1@yahoo.com